

Application No. 10/669,607
Amendment dated October 6, 2005
Reply to Office Action of June 13, 2005

Docket No.: 1609-0127P
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AMENDMENTS TO THE DRAWINGS

One Sheet of Revised Formal Drawings is attached to properly designate washer 44 in FIG. 5.

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-19 are pending. Claims 1-3 are amended, and claims 4-19 are added. Claims 1, 7, and 14 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Foreign Priority

The Examiner has not acknowledged the Applicants' claim for foreign priority. Clarification is respectfully requested in the next official communication.

Information Disclosure Citation

Applicants thank the Examiner for considering the reference supplied with the Information Disclosure Statement filed on September 25, 2003, and for providing Applicants with an initialed copy of the PTO-1449 form filed therewith.

Drawings

It is gratefully appreciated that the Examiner has accepted the drawings filed on September 25, 2005. By this amendment the Applicants have voluntarily attached One Sheet of Revised Formal Drawings in order to properly designate washer 44 in FIG. 5.

Rejection Under 35 U.S.C. § 102(b) and § 103(a)

Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Olsen (U.S. 5,108,129). Further, claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Tsutsumikoshi et al. (U.S. 4,535,869). In addition, claims 2 and 3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsutsumikoshi et al. in

view of Morishita et al. (U.S. 2002/0038737). These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, the Applicants respectfully submit that independent claim 1 has been amended to recite a combination of elements in a body cover for a vehicle, including *inter alia*

a cover main body disposed at a central part in a lateral direction of the vehicle, the cover main body including an upper surface to cover a vehicle body frame from above, and side wall surfaces to cover the vehicle body frame from lateral sides and oppositely spaced apart at inner side surfaces in an axial direction of two front wheels.

In addition, independent claim 7 has been added to recite a combination of elements in a body cover for a vehicle, including *inter alia*

side wall surfaces of the cover main body extend downwardly from positions where the fenders are attached to the cover main body.

Further, independent claim 14 has been added to recite a combination of elements in a body cover for a vehicle, including *inter alia*

fenders which are provided for covering wheels of the vehicle disposed at lateral sides, and which are attached to the cover main body, wherein side wall surfaces of the cover main body extend downward below each of the fenders.

According to the body cover of amended claim 1 and new claim 14, because the side wall surfaces are provided oppositely spaced apart at the inner side surfaces in an axial direction of two front wheels, muddy water churned up by the front wheels (tires) 14 can be prevented from permeating into the inside of the (front) cover main body (23), and thus an amount of dirt accumulated on the engine 13 or the like can be preferably reduced.

Support for the novel combination of elements set forth in each of independent claims 1, 7, and 14 can be seen, for example, in FIGS. 2 and 4.

Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 7, and 14 is not disclosed or made obvious by the prior art of record, including Olsen, Tsutsumikoshi et al., and Morishita et al

Applicants respectfully submit that Olsen merely discloses body 4 and fenders 14. No part of the Olsen's body 4 extends side wall surfaces to cover the vehicle body frame from lateral sides and oppositely spaced apart at inner side surfaces in an axial direction of two front wheels (as in claim 1 of the present invention), or has side wall surfaces of the cover main body extending downwardly from positions where the fenders are attached to the cover main body (as in claim 7 of the present invention), or has side wall surfaces of the cover main body extend downward below each of the fenders (as in claim 14 of the present invention).

Further, as can be seen in Tsutsumikoshi et al. FIGS. 1 and 2, the document merely discloses fenders 801 and 901 formed integrally with the front and rear cover 8, 9, where the fenders 801, 901 extend further downwardly that any other part of the covers 8, 9.

Morishita et al. was cited merely to teach fenders 48, 50, 430, 460 abutting against side wall surfaces. However, Morishita et al. fails to suggest side wall surfaces to cover the vehicle body frame from lateral sides and oppositely spaced apart at inner side surfaces in an axial direction of two front wheels (as in claim 1 of the present invention), or has side wall surfaces of the cover main body extending downwardly from positions where the fenders are attached to the cover main body (as in claim 7 of the present invention), or has side wall surfaces of the cover main body extend downward below each of the fenders (as in claim 14 of the present invention).

Thus no combination of the cited reference can teach any of independent claims 1, 7, and 14 of the present invention.

At least for the reasons explained above, Applicants respectfully submit that the combination of elements as set forth in each of independent claims is not disclosed or made obvious by the prior art of record, including Olsen, Tsutsumikoshi et al., and Morishita et al.

Therefore, independent claims 1, 7, and 14 are now in condition for allowance.

The Examiner will note that dependent claims 2 and 3 are amended, and dependent claims 4-6, 8-13, and 15-19 are added.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

The rejection of dependent claims 2 and 3 under 35 U.S.C. 103(a) is now moot.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(b) and §103(a) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

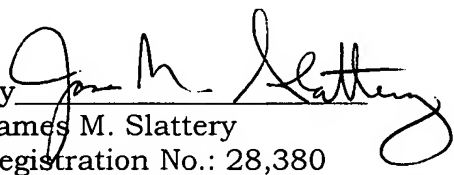
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Dated: October 11, 2005

Respectfully submitted,

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Attachment: One sheet of revised formal drawings, with corrections to FIG.5